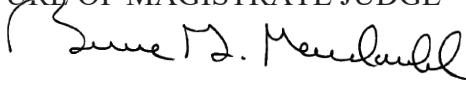


CRIMINAL COMPLAINT

United States District Court	DISTRICT of ARIZONA
United States of America v. Francisco BELL , DOB: 2000; United States Citizen Ismael HIGUERA-Avalos , DOB 2000; United States Citizen Ezekqio CHAVEZ , DOB: 2003; United States Citizen	DOCKET NO. MAGISTRATE'S CASE NO. 24-02272MJ
Complaint for violation of Title 18, United States Code § 933(a)(2)	
COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION: On or about August 4, 2024, in the District of Arizona, the defendants Francisco BELL , Ismael HIGUERA-Avalos , and Ezekqio CHAVEZ , did receive from another person, in or otherwise affecting interstate or foreign commerce, firearms, to wit: three (3) Century Arms USKA rifles, knowing or having reasonable cause to believe that such receipt would constitute a felony, to wit: False Statement During Purchase of a Firearm in violation of 18 U.S.C. Section 924(a)(1)(A), or attempt or conspire to do so; all in violation of Title 18, United States Code, Section 933(a)(2).	
BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED: On August 4, 2024, Homeland Security Investigations (HSI) Special Agents (SA), Arizona Department of Public Safety State Troopers, and the Tucson Police Department conducted a joint surveillance operation at the Tucson EXPO Gun Show at 3750 E Irvington Road, Tucson AZ. At approximately 11:30 a.m. HSI SA's, State Troopers, and Tucson Police officers observed two subjects purchasing multiple rifles inside the gun show and walking out with large brown rifle boxes to the northwestern parking lot. The subjects were observed transferring several rifle boxes to two other males that were waiting in a Jeep Gladiator bearing California License plate CA 32567K3. The subjects that purchased the firearms appeared to place 3-4 boxes each at a time in the bed of the Jeep Gladiator, while the other two males stayed inside the vehicle. HSI SA's, Troopers, and Tucson Police observed both males go back into the gun show after placing 3-4 rifle boxes each in the Jeep Gladiator and purchase additional rifles. Both subjects were observed inside the gun show as being the actual buyers of the guns and both appear to be holding three or more boxes of guns at a time. (BASIS OF COMPLAINT CONTINUED ON REVERSE.)	
MATERIAL WITNESS(ES) IN RELATION TO THE CHARGE:	
DETENTION REQUESTED <i>Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.</i>	SIGNATURE OF COMPLAINANT JOHN B LAKE Digitally signed by JOHN B LAKE Date: 2024.08.05 11:36:05 -07'00'
	OFFICIAL TITLE & NAME: John Lake, Special Agent, HSI Nogales
Subscribed to and sworn before me telephonically.	
SIGNATURE OF MAGISTRATE JUDGE ¹⁾ 	DATE August 5, 2024

¹⁾ See Federal rules of Criminal Procedure Rules 3 and 54

(BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED CONTINUED.)

At approximately 12:15 p.m. HSI SA's observed the final "drop" of rifles of approximately 3-4 per subject that were observed buy them inside the EXPO Gun Show and placed them in the bed of the Jeep Gladiator. The subjects did not attempt to cover or protect the firearms in the bed of the Jeep and HSI SA's and troopers noted that the same type of rifle box was carried out by both subjects which was a Century Arms rifle box. HSI SA's and Tucson Police observed two younger Hispanic males that had been waiting in the jeep get out and get in the back seat of the jeep and the two subjects who had been buying the firearms get into the driver and front passenger seat. At approximately 12:25 p.m., the Jeep Gladiator departed the northwestern parking lot of the Tucson Expo Gun show and began travelling down Irvington Road. The Jeep Gladiator was observed by Tucson Police Officers merging onto I-10 west towards Phoenix at approximately 12:30 p.m.

Tucson Police and AZ State Troopers followed the Jeep Gladiator along Interstate 10 west through Tucson, and ultimately conducted a vehicle stop near Marana Road and I-10 west for speeding violations. Tucson Police officers stated that as they approached the vehicle, they saw multiple gun boxes in the bed of the Jeep Gladiator, and that they immediately saw an open beer can in the backseat cup holder. Tucson Police conducted a search of the vehicle based off the open container violation and located approximately \$12,000 dollars in U.S. Currency, three (3) handguns, and 17 rifles in Century Arms Boxes in the bed of the Jeep. HSI SA's responded to the location of the stop and confirmed those were the boxes of rifles purchased from the Tucson EXPO Gun Show. In addition, receipts from firearm purchases were in the vehicle indicating that firearms were also purchased at the Gun Show the previous day (August 3, 2024).

During the vehicle stop of the Jeep it was noted that **Ismael HIGUERA-Avalos** was identified as the driver and one of the buyers from the Tucson EXPO Gun Show, and **Francisco BELL** was the front passenger seat and was identified as the other buyer. HSI SA's also determined based on the Tucson Police vehicle stop that the rear driver side passenger was **Carlos MARTINEZ**, and the rear passenger side occupant was **Ezekqio CHAVEZ**.

At Approximately 2:31 p.m. HSI Sells SA's conducted a post-Miranda interview of **CHAVEZ** at the Tucson Police station at 1310 W Miracle Mile Tucson, AZ. During the interview, **CHAVEZ** stated that he was with the other occupants of the vehicle who he claimed are his friends and they decided to go to the Tucson EXPON Gun Show on the morning of August 4, 2024. **CHAVEZ** stated that he did not go into the gun show and stayed in the Jeep because he believed he may be a felon and that he was on probation and not "allowed" around guns. **CHAVEZ** stated that he knew **HIGUERA** and **BELL** were buying firearms but stated he was unsure of why they were buying so many. At one point in the interview **CHAVEZ** stated that **BELL** "the front passenger" handed him a gold Ruger pistol and he held it in his hand and then placed it in the back of the seat, and acknowledged his fingerprints would be on the firearm. **CHAVEZ** also stated that when Tucson Police pulled over the rental vehicle, he got extremely nervous and took all his money out of his pockets (approximately \$8,000 dollars) and tried to hide it under the front passenger seat.

At approximately 3:52 p.m. HSI SA's conducted a post-Miranda interview of **BELL**. During the interview of **BELL**, he admitted to purchasing approximately eight (8) AK-47's earlier in the day from the Tucson EXPO Gun show. During the interview **BELL** stated that he has been having money troubles and working 60-hour work weeks, but saved up his money for the rifles because he likes them. **BELL** stated that he also was using marijuana recreationally almost nightly to fall asleep. **BELL** eventually admitted to lying on his ATF Form 4473 about using marijuana recreationally and he admitted that he did not purchase the AK-47's for himself. **BELL** stated that the rear passenger **MARTINEZ** coordinated the whole plan to buy the rifles from the Tucson EXPO Gun Show. **BELL** also stated that **HIGUERA** gave him the money to buy the rifles, but he was unsure if he was going to get paid. **BELL** also stated that the rifles were supposed to stay with the Jeep and **HIGUERA**, and that he was unsure of where they were going. **BELL** consented to a search of his phone and a preliminary search of a conversation between him, and **CHAVEZ** appear to be related to firearms purchased on August 4, 2024. In text messages, **BELL** sent pictures of firearm

BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED CONTINUED.)

purchase receipts to **CHAVEZ**. In addition, **CHAVEZ** sent texts to **BELL** directing which dealers to buy from and the amount of money **CHAVEZ** should spend on the firearms.

During a pos-*Miranda* interview of **HIGUERA**, **HIGUERA** communicated that all the weapons in the car belonged to him (three (3) pistols in the cab and 17 rifles in the bed).

A firearms receipt located indicates a purchase of three (3) Century Arms USKA firearms for \$2900 Cash from Baseline Pawn. Baseline Pawn is a registered FFL that requires an ATF Form 4473 for a firearms purchase. The form requires the buyer to indicate whether the firearms are purchased for themselves. **BELL** admitted to filling out the form falsely by indicating the purchases were for himself.

ATF was contacted and confirmed that Century Arms USKA rifles are manufactured outside the state of Arizona and, therefore, had to travel in interstate commerce to be purchased at the gun show in Tucson, Arizona.